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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 RYAN W. PAYNE,
16 Defendant.

Case No. 2:16-cr-046-GMN-PAL

REQUEST FOR LEAVE OF COURT
TO FILE REPLY IN RELATION TO
ECF NO. 2532

Expedited Treatment Requested

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18 **Certification:** This Motion is timely filed.

19 NOW COMES the defendant, Ryan Payne, by and through his counsel of record, Brenda
20 Weksler and Ryan Norwood, Assistant Federal Public Defenders, and requests for leave of
21 court to file a reply in relation to ECF No 2532.
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1 DATED this 11th day of October, 2017.

2 RENE L. VALLADARES
3 Federal Public Defender

4 By: /s/ Brenda Weksler

5 BRENDA WEKSLER
6 Assistant Federal Public Defender
7 Attorney for Ryan W. Payne

8 By: /s/ Ryan Norwood

9 RYAN NORWOOD
10 Assistant Federal Public Defender
11 Attorney for Ryan W. Payne
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MEMORANDUM

Pursuant to this Court's Order regarding Trial, replies to Motions in Limine may only be filed with leave of court. Payne would like the opportunity to reply to the Government's response (ECF #2644) in which it states that Payne either "misunderstands or misrepresents" issue-preclusion. Payne seeks leave to file a reply explaining why the government is in fact precluded from admitting evidence tying Parker and Drexler to the conspiracy with which Payne is charged. Payne submits it is important for this Court to consider the issue of defensive non-mutual issue preclusion, which he seeks to brief in its reply, before it enters an order on this important matter.

DATED this 11th day of October, 2017.

Respectfully submitted,
RENE L. VALLADARES
Federal Public Defender

By: /s/ Brenda Weksler

BRENDA WEKSLER
Assistant Federal Public Defender
Attorney for Ryan W. Payne

By: /s/ Ryan Norwood

RYAN NORWOOD
Assistant Federal Public Defender
Attorney for Ryan W. Payne

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 11, 2017, she served an electronic copy of the above and foregoing **REQUEST FOR LEAVE OF COURT TO FILE REPLY IN RELATION TO ECF NO. 2532 (Expedited Treatment Requested)** by electronic service (ECF) to the person named below:

STEVEN W. MYHRE
Acting United States Attorney
ERIN M. CREEGAN
Assistant United States Attorney
NADIA JANJUA AHMEN
Assistant United States Attorney
DAN SCHIESS
Assistant United States Attorney
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/s/ Lauren Conklin
Employee of the Federal Public Defender